



THW

TRADEMARK
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: BINDER=9

In re Application of:) Art Unit: 2667
Yehuda BINDER) Confirmation No. 1885
Appln. No.: 09/594,765) Examiner: K. Yao
Filed: June 16, 2000) Washington, D.C.
For: TELEPHONE COMMUNICATION) July 27, 2005
SYSTEM OVER A SINGLE...

RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT

Honorable Commissioner for Patents
Customer Service Window
Randolph Building, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

We acknowledge receipt of the Notice dated June 28, 2005, and appreciation is expressed to the Examiner for providing the opportunity to establish that all of the additions to the claims are clearly supported by the original disclosure.

Nevertheless, it must be pointed out that there is no requirement in the Rules that support for new and amended claims must be shown in order for an amendment to be responsive. The MPEP does state at several points that applicant should specifically point out such support. However, the use of the term "should", in the Rules and the MPEP has always been understood to indicate a step that is recommended, but not required. Therefore, the fact that such support was not explained in the amendment filed on March 25, 2005, did not justify a holding that the amendment was non-responsive.